

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

ANIEL GRILLASCA-PIETRI
Plaintiff

v.

PORTORRICAN AMERICAN
BROADCASTING CO., et. al.
Defendant

Civil No. 97-2933(SEC)

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U.S. DISTRICT COURT
SAN JUAN, P.R.

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ORDER

MOTION

RULING

**Docket #25
Motion for Reconsideration of the
Court Order Denying Use of Expert
Witness**

The Court has reconsidered its Order of December 2, 1999 (**Docket #23**), and submits the following: The Court reminds the plaintiff that on September 3rd, 1999, this Court issued an order (**Docket # 20**), setting certain deadlines for the conclusion of discovery, the filing of dispositive motions, and the pre-trial order. Because of plaintiff's belated submission of the expert report, the conclusion of discovery by the deadline set by this court was made impossible if the defendant was to be allowed a fair and just opportunity to depose plaintiff's expert and engage an expert of his own if necessary. In this way, plaintiff's belated submission caused harm to the defendants and substantially delayed the proceedings before the Court. This case has been stalled in the Court's docket all through this year apparently in the discovery stage. The defendants had requested the expert report since May 1999, yet it was not produced to them until November 12, 1999; only two weeks and a half before the closing of discovery as set by this Court. At this stage of the proceedings, granting plaintiff's motion for reconsideration necessarily entails a reopening of discovery after it was closed by the December 1, 1999 deadline.

However, due to considerations of equity, and since the Court has not yet set a date for the pre-trial conference, the Court hereby **GRANTS** plaintiff's motion for reconsideration (**Docket #25**), and allows the reopening of discovery in order to allow the defendants to depose plaintiff's expert and engage an expert of their own if necessary. Therefore, **discovery is reopened for this sole purpose until February 25, 2000**. Thereafter, no further extensions shall be granted regarding this issue. The defendants are allowed ten (10) days to file an opposition to this deadline, showing cause why this order should be modified, if necessary. **The Amended Pre-Trial Order must be submitted by March 10, 2000**. Failure to comply with this Court's Order on either side will result in the imposition of sanctions.

DATE: December 27, 1999

SALVADOR E. GARCIA
United States District Judge

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